

EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
September 11, 2008

BUREAU OF LAND AND WASTE MANAGEMENT

UST Enforcement

- 1) Order Type and Number: Consent Order 07-0619-UST
 Order Date: May 30, 2008
 Respondent: **Clemson Marina, L.L.C.**
 Facility: Clemson Marina
 Location/Mailing Address: 150 Clemson Marina Dr., Seneca,
 SC/150 Clemson Marina Dr.,
 Clemson, SC 29679

 County: Oconee
 Previous Orders: AO 06-0788-UST (\$7,300); 05-932-
 UST (\$1700 Suspended)

 Permit/ID Number: 12875
 Violations Cited: UST Control Regulations, R.61-92,
 §280.10(e).

Summary: Clemson Marina, LLC (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations in that the Respondent introduced petroleum or petroleum products into an underground storage tank for which the owner did not hold a currently valid registration.

Action: The Respondent is required to pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**).

- 2) Order Type and Number: Consent Order 08-0081-UST
 Order Date: May 21, 2008
 Respondent: **Ray Thomas Petroleum Company, Inc.**
 Facility: Corner Stop 4
 Location/Mailing Address: 720 Haynes St., Spartanburg, SC
 P.O. Box 338, Shelby, NC 28151
 Spartanburg
 County: Spartanburg
 Previous Orders: 06-0616-UST (\$500)
 Permit/ID Number: 08600
 Violations Cited: UST Control Regulations, R.61-92,
 §280.40(a) and §280.34(c).

Summary: Ray Thomas Petroleum Company, Inc. (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide adequate release detection methods for a UST system and failure to provide records to the Department upon request. The compliance documentation was received April 17, 2008.

Action: The Respondent is required to pay a civil penalty in the amount of six hundred dollars (**\$600.00**). The penalty has been paid.

- 3) Order Type and Number: Consent Order 08-0121-UST
 Order Date: June 19, 2008
 Respondent: **Youmans, Inc.**
 Facility: Youmans Shop 2
 Location/Mailing Address: 16812 Ace Basin Parkway,
 Jacksonboro, SC/ PO Box 268,
 Hollywood, SC 29449-0268

 County: Colleton
 Previous Orders: None
 Permit/ID Number: 16968
 Violations Cited: UST Control Regulations, R.61-92,
 §280.31(a), §280.41(b)(1)(ii), and §280.44(a).

Summary: Youmans, Inc. (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to operate and maintain corrosion protection equipment continuously; failure to conduct the annual tightness test on a pressurized line; and, failure to check the line leak detector function annually.

Action: The Respondent is required to: submit to the Department proof that the flex connectors are protected from corrosion; submit to the Department a copy of the line leak detector and line tightness test results; and, pay a civil penalty in the amount of six hundred dollars (**\$600.00**). The penalty has been paid.

- 4) Order Type and Number: Consent Order 08-0130-UST
 Order Date: June 2, 2008
 Respondent: **Elwood Miller and Michael Miller**
 Facility: Miller's Foreign Car Service
 Location/Mailing Address: 821 Second Loop Rd., Florence,
 SC/P.O. Box 5414, Florence, SC
 29502

 County: Florence
 Previous Orders: None

Permit/ID Number: 03597
Violations Cited: UST Control Regulations, R.61-92,
§280.65 and §280.34(c).

Summary: Elwood Miller and Michael Miller (Respondents) own and operate underground storage tanks and have violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to determine the full extent of a release in accordance with a schedule established by the Department; and, failure to provide records to the Department upon request.

Action: The Respondents are required to: submit a Tier II Report; and, pay a civil penalty in the amount of one thousand one hundred dollars (**\$1,100.00**).

5) Order Type and Number: Consent Order 08-0132-UST
Order Date: June 2, 2008
Respondent: **Greenville County School District**
Facility: Greenville County School District
Location/Mailing Address: 2 Space Dr., Taylors, SC/P.O. Box
2848, Greenville, SC 29602-2848
County: Greenville
Previous Orders: None
Permit/ID Number: 11957
Violations Cited: UST Control Regulations, R.61-92,
§280.40(a) and §280.34(c).

Summary: The Greenville County School District (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide adequate release detection records for a UST system and, failure to provide records to the Department upon request.

Action: The Respondent is required to: submit tank tightness test results for the regular unleaded tank, dated after January 25, 2008, and a copy of release detection records for the current month; and pay a civil penalty in the amount of six hundred dollars (**\$600.00**). The penalty has been paid.

6) Order Type and Number: Consent Order 08-0136-UST
Order Date: June 2, 2008
Respondent: **Ray Thomas Petroleum Company, Inc.**
Facility: 96 Fuel Center
Location/Mailing Address: 1425 Wilcox Ave., Gaffney, SC/P.O.
Box 338, Shelby, NC 28151

County: Cherokee
Previous Orders: 07-0116-UST (\$0)
Permit/ID Number: 01990
Violations Cited: UST Control Regulations, R.61-92,
§280.40(a) and §280.34(c).

Summary: Ray Thomas Petroleum Company, Inc. (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide adequate release detection methods for a UST system and failure to provide records to the Department upon request.

Action: The Respondent is required to: submit tank tightness and line tightness test results; submit a copy of release detection records for the current month; and, pay a civil penalty in the amount of one thousand one hundred dollars (\$1,100.00). The penalty has been paid.

7) Order Type and Number: Consent Order 08-0140-UST
Order Date: June 2, 2008
Respondent: **City of Simpsonville**
Facility: Simpsonville Department of Public Works
Location/Mailing Address: 110 Woodside Park Dr.,
Simpsonville, SC/110 Woodside
Park Dr., Simpsonville, SC 29681
County: Greenville
Previous Orders: None
Permit/ID Number: 11738
Violations Cited: UST Control Regulations, R.61-92,
§280.21(a), §280.22(a), §280.20 (a), §280.21(d), and §280.34(c).

Summary: The City of Simpsonville (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank (UST) Control Regulations as follows: operation of a non-upgraded UST after December 22, 1998; failure to submit notification to the Department for a UST; failure to protect a UST from corrosion; failure to use adequate spill and overfill prevention equipment on a UST; and, failure to provide records to the Department upon request.

Action: The Respondent is required to: submit a copy of a closure and site assessment report as proof that the UST has been permanently closed and pay a civil penalty in the amount of one thousand nine hundred fifty dollars (\$1,950.00). The closure and site assessment report was submitted on May 23, 2008. The penalty has been paid.

- 8) Order Type and Number: Consent Order 08-0141-UST
 Order Date: June 19, 2008
 Respondent: **McDonald Land Company, Inc.**
 Facility: 522 Grill
 Location/Mailing Address: 1059 Rocky Creek Rd., Lancaster,
 SC/1132 Great Falls Hwy.,
 Lancaster, SC 29720

 County: Lancaster
 Previous Orders: None
 Permit/ID Number: 16429
 Violations Cited: UST Control Regulations, R.61-92,
 §280.40(a) and §280.34(c).

Summary: McDonald Land Company, Inc. (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide adequate release detection methods for an underground storage tank system and failure to provide records to the Department upon request.

Action: The Respondent is required to: submit a copy of the automatic tank gauge records from January of 2007 through January of 2008 for all tanks, or current tank tightness test results for all tanks and a copy of the automatic tank gauge records for the current month; and, pay a civil penalty in the amount of six hundred dollars (**\$600.00**).

- 9) Order Type and Number: Consent Order 08-0155-UST
 Order Date: June 19, 2008
 Respondent: **Youmans, Inc.**
 Facility: Youmans Shop 3
 Location/Mailing Address: 6294 Highway 162, Hollywood, SC/
 PO Box 268, Hollywood, SC 29449
 Charleston

 County: Charleston
 Previous Orders: None
 Permit/ID Number: 18040
 Violations Cited: UST Control Regulations, R.61-92,
 §280.31(a), and §280.34(c).

Summary: Youmans, Inc. (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations by failing to operate and maintain corrosion protection equipment continuously, and failing to provide records to the Department upon request.

Action: The Respondent is required to: submit documentation that the water was removed from the Diesel, Regular, Premium and Kerosene pump sumps and disposed of properly; submit documentation that the diesel meter box for dispenser number five has been repaired; and, pay a civil penalty in the amount of four hundred dollars (**\$400.00**). The penalty has been paid.

- 10) Order Type and Number: Consent Order 08-0164-UST
 Order Date: June 2, 2008
 Respondent: **Kenricks Convenience, Inc.**
 Facility: Gas Plus 2
 Location/Mailing Address: 107 Edgefield Rd., North Augusta,
 SC/P.O. Box 6220, North Augusta,
 SC 29861-6220

 County: Aiken
 Previous Orders: None
 Permit/ID Number: 00083
 Violations Cited: UST Control Regulations, R.61-92,
 §280.31(c) and §280.34(c).

Summary: Kenricks Convenience, Inc. (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to inspect the impressed current system every sixty days and failure to provide records to the Department upon request.

Action: The Respondent is required to: submit a copy of the most recent rectifier log readings and pay a civil penalty in the amount of two hundred fifty dollars (**\$250.00**). A copy of the rectifier log and the civil penalty was submitted on May 16, 2008.

- 11) Order Type and Number: Consent Order 08-0175-UST
 Order Date: June 2, 2008
 Respondent: **Howard E. Thomas, Inc.**
 Facility: Bobops 9
 Location/Mailing Address: 11090 Augusta Hwy., Canadys,
 SC/P.O. Box 108, Walterboro, SC
 29488

 County: Colleton
 Previous Orders: 06-159-DW (\$2800 Stipulated)
 Permit/ID Number: 02550
 Violations Cited: UST Control Regulations, R.61-92,
 §280.31(a) and §280.34(c).

Summary: Howard E. Thomas, Inc. (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to operate and maintain corrosion protection equipment continuously and failure to provide records to the Department upon request.

Action: The Respondent is required to: submit proof that the impressed current system wires have been repaired/reburied; submit current corrosion protection system test results; and pay a civil penalty in the amount of four hundred dollars (**\$400.00**). The penalty has been paid.

12) Order Type and Number: Consent Order 08-0191-UST
Order Date: June 19, 2008
Respondent: **G. J. Creel & Sons Inc.**
Facility: Easy Pick Up 6
Location/Mailing Address: 1112 Main Street, Conway, SC/ 708
12th Ave, Conway, SC 29526
County: Horry
Previous Orders: 06-0685-UST (\$1,000.00)
Permit/ID Number: 12680
Violations Cited: UST Control Regulations, R.61-92,
§280.93(a) and §280.110(c).

Summary: G. J. Creel & Sons, Inc. (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations by failing to provide Financial Responsibility.

Action: The Respondent is required to provide Financial Responsibility for the facility and pay a civil penalty in the amount of six hundred dollars (**\$600.00**). The penalty has been paid.

13) Order Type and Number: Consent Order 07-0170-UST
Order Date: July 14, 2008
Respondent: **Loves Travel Stops & Country Stores, Inc.**
Facility: Loves Travel Stop 371
Location/Mailing Address: 1911 Highway 34 West, Dillon SC/
PO Box 26210, Oklahoma City, OK
73126
County: Dillon
Previous Orders: None
Permit/ID Number: 19294
Violations Cited: UST Control Regulations, R.61-92,
§280.10(e) and §280.23(b).

Summary: Loves Travel Stops & Country Stores, Inc. (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations as follows: introduction of petroleum or petroleum products into underground storage tanks for which the Respondent did not hold a currently valid registration certificate, and failure to obtain a permit to operate prior to placing an underground storage tank system in operation.

Action: The Respondent is required to pay to the Department a civil penalty in the amount of one thousand three hundred dollars (**\$1,300.00**).

14) Order Type and Number: Consent Order 08-0027-UST
Order Date: July 22, 2008
Respondent: **Yash Corporation, Inc.**
Facility: Food Fare 2
Location/ Mailing Address 7300 Hunt Club Drive, Columbia, SC / 300 Hunt Club Drive, Columbia, SC 29223
County: Richland
Previous Orders: 05-0189-UST (\$600.00)
Permit/ID Number: 07885
Violations Cited: UST Control Regulations, R.61-92, §280.40(a), §280.31(c) and §280.34(c).

Summary: Yash Corporation, Inc. (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations for failure to use adequate spill and over fill prevention equipment.

Action: The Respondent is required to provide copies of the line tightness tests, line leak detector tests, a copy of the rectifier log, and pay a civil penalty in the amount of seven hundred fifty dollars (**\$750.00**).

15) Order Type and Number: Consent Order 08-0113-UST
Order Date: July 29, 2008
Respondent: **Stop N Save, Inc.**
Facility: El Cheapo
Location/ Mailing Address I-20, Exit 33, Monetta, SC / 2031 Bull St., Columbia, SC 29203
County: Richland
Previous Orders: None
Permit/ID Number: 17328
Violations Cited: UST Control Regulations, R.61-92,

§280.31(a) and §280.34(c).

Summary: Stop N Save, Inc. (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations for failure to maintain and operate corrosion protection equipment continuously and failure to provide records to the Department upon request.

Action: The Respondent is required to provide the Department with a manifest showing that the water was removed from all of the pump sumps and dispenser #6 and that it was disposed of properly; submit to the Department a copy of the sump log as proof that a maintenance program is in place to protect the flex connectors from corrosion; and, pay a civil penalty in the amount of four hundred dollars (**\$400.00**). The penalty has been paid.

16)	<u>Order Type and Number:</u>	Consent Order 08-0195-UST
	<u>Order Date:</u>	July 16, 2008
	<u>Respondent:</u>	Ken Moorhead Oil Company, Inc.
	<u>Facility:</u>	KMO 100 3&20 Food Mart Citgo
	<u>Location/Mailing Address:</u>	3000 Pelzer Hwy., Easley, SC/P.O. Box 2587, Anderson, SC 29622
	<u>County:</u>	Anderson
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	07254
	<u>Violations Cited:</u>	UST Control Regulations, R.61-92, §§280.40(a), 280.41(b)(2), 280.31(b), 280.31(c), and 280.34(c).

Summary: Ken Moorhead Oil Company, Inc. (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations by failing to provide adequate release detection methods for an underground storage tank system, failing to conduct a line tightness test every three years on suction piping, failing to have the corrosion protection system inspected by a qualified tester every three years, failing to inspect the impressed current system every sixty days, and failing to provide records to the Department upon request.

Action: The Respondent is required to: submit a copy of the tank tightness test results for the regular unleaded, plus, and premium tanks and a copy of the automatic tank gauge records for the current month; and, pay a civil penalty in the amount of two thousand, one hundred dollars (**\$2,100.00**).

17)	<u>Order Type and Number:</u>	Consent Order 08-0205-UST
	<u>Order Date:</u>	July 17, 2008
	<u>Respondent:</u>	Petroleum World, Inc.

Facility: Ballmart Food Store
Location/Mailing Address: 7245 Moorefield Memorial Hwy.,
Liberty, SC/681 NC 120 Hwy.,
Mooresboro, NC 28114
County: Pickens
Previous Orders: None
Permit/ID Number: 11651
Violations Cited: UST Control Regulations, R.61-92,
§§280.40(a), 280.20(e), 280.31(c), and 280.34(c).

Summary: Petroleum World, Inc. (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations by failing to provide adequate release detection methods for an underground storage tank system, failing to install piping in accordance with accepted codes and standards, failing to inspect the impressed current system every sixty days, and failing to provide records to the Department upon request. The Department received copies of release detection records and proof the shear valve under dispenser 3/4 was properly anchored.

Action: The Respondent is required to: submit a copy of the rectifier log, and pay a civil penalty in the amount of six hundred fifty dollars **(\$650.00)**.

18) Order Type and Number: Consent Order 08-0254-UST
Order Date: July 16, 2008
Respondent: **M.H. Collins**
Facility: Malcolm's Service Center
Location/Mailing Address: 101 W. McIntyre St., Mullins,
SC/101 W. McIntyre St., Mullins,
SC 29574
County: Marion
Previous Orders: None
Permit/ID Number: 10570
Violations Cited: UST Control Regulations, R.61-92,
§§280.40(a) and 280.34(c).

Summary: M. H. Collins (Respondent) owns and operates underground storage tanks and has violated the South Carolina Underground Storage Tank Control Regulations by failing to provide adequate release detection methods for an underground storage tank system and failing to provide records to the Department upon request.

Action: The Respondent is required to: submit to the Department a copy of the release detection records for the plus tank for the current month; and, pay a civil penalty in the amount of three hundred dollars **(\$300.00)**.

- 19) Order Type and Number: Consent Order 08-0267-UST
 Order Date: July 16, 2008
 Respondent: **S & E Logging, Inc.**
 Facility: Johnnys Truck Stop
 Location/Mailing Address: 760 S. Main St., Society Hill,
 SC/1338 Toney Mill Rd., Society
 Hill, SC 29593

 County: Darlington
 Previous Orders: None
 Permit/ID Number: 02698
 Violations Cited: UST Control Regulations, R.61-92,
 §§280.10(e) and 280.34(c).

Summary: S & E Logging, Inc. (Respondent) has violated the South Carolina Underground Storage Tank Control Regulations by causing a regulated substance to be placed into an underground storage tank for which the owner did not hold a currently valid registration and failing to provide records to the Department upon request.

Action: The Respondent is required to: submit to the Department a disposal manifest as proof that the 15,000 gallon underground storage tank has been emptied to less than one inch of residue; and, pay a civil penalty in the amount of one thousand, one hundred dollars (**\$1,100.00**).

Hazardous Waste Enforcement

- 20) Order Type and Number: Consent Order 08-06-HW
 Order Date: June 19, 2008
 Responsible Party: **Champion Aerospace, LLC**
 Location/Mailing Address: 1230 Old Norris Road
 Liberty, South Carolina 29657

 County: Pickens
 Previous Orders: None
 Permit Number: SCD 987 566 528
 Violations Cited: The South Carolina Hazardous
 Waste Management Act §44-56-130(2) and the South Carolina Hazardous
 Waste Management Regulations 61-79.273.13(d)(1), R.61-
 79.273.13(d)(1), R.61-79.273.14(e), R.61-79.273.15(a), R.61-
 79.273.15(c)(1), R.61-79.265.173(a), R.61-79.265.173(b), R.61-
 79.265.173(c), R.61-79.265.173(d), R.61-79.262.34(b), R.61-
 79.262.34(c)(1)(ii), R.61-79.262.34(c)(2), R.61-79.262.11, R.61-
 79.265.175(b)(1), R.61-79.265.35, R.61-79.265.174, R.61-79.265.15(a),
 R.61-79.262.40(a), R.61-79.265.16(a)(1), and R.61-79.265.51(a).

Summary: Champion Aerospace (Respondent) manufactures aviation ignition systems. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to manage universal waste lamps in a structurally sound container or in containers that remain closed; failure to label containers of universal waste with one of the following phrases: “Universal Waste – Lamps,” “Waste Lamps,” or “Used Lamps;” failure to accumulate universal waste onsite for no longer than one year from the date it was generated; failure to label containers of universal waste with the earliest date that the material became a waste; failure to keep containers of hazardous waste closed except when it is necessary to add or remove waste; failure to manage containers of hazardous waste in a manner that would prevent it from rupturing or cause it to leak; failure to label containers of hazardous waste with the following phrase: “Hazardous Waste – federal laws prohibit improper disposal;” failure to label containers of hazardous waste with an EPA Hazardous Waste Number; failure to store hazardous waste for 90 days or less unless an extension or permit has been issued by the Department; failure to label satellite accumulation containers of hazardous waste with the words “Hazardous Waste” or with other words that identify the contents of the container; failure to accumulate not more than 55 gallons of hazardous waste in a satellite accumulation area; failure to make an accurate hazardous waste determination on a solid waste; failure to operate a containment system that is free of cracks or gaps and is sufficiently impervious to contain leaks, spills, and accumulated precipitation; failure to maintain aisle space to allow unobstructed movement of personnel, fire protection, spill control, and decontamination equipment; failure to perform weekly inspections of the hazardous waste storage area looking for leaks and for deterioration caused by corrosion or other factors; failure to inspect the facility for malfunctions and deterioration, operator errors, and discharges; failure to keep a copy of each manifest for three years or until receiving a signed copy from the designated facility; failure to provide personnel with a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility’s compliance with the requirements of this part; and, failure to have a contingency plan for the facility.

Action: The Respondent has agreed to now and in the future: ensure that all containers of hazardous waste are managed properly; ensure that the facility is properly maintained; ensure that an accurate hazardous waste determination is made; ensure that the general inspection requirements are met; ensure that the facility has a contingency plan; ensure that personnel managing hazardous waste receives an annual update of hazardous waste training, and pay a civil penalty in the amount of seventeen thousand, five hundred dollars (**\$17,500.00**).

Mining Enforcement

21) Order Type and Number: Consent Order 08-04-MSWM

<u>Order Date:</u>	June 19, 2008
<u>Respondent:</u>	Coastal Sand, L.L.C.
<u>Facility:</u>	Larrimore Mine
<u>Location/Mailing Address:</u>	Highway 378 and SC S-34-86/2025 Highway 378, Conway, SC 29527
<u>County:</u>	Marion
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	GP1-001713
<u>Violations Cited:</u>	South Carolina Mining Act, as amended, S.C. Code Ann. §48-20-55, General Mine Operating Permit Number GP1-001713, Part II.

Summary: Coastal Sand, LLC (Respondent) disturbed an area greater than five (5) acres at the Larrimore Mine (Mine) site; excavated the Mine pit to a depth greater than twenty (20) feet; excavated the Mine pit on slopes steeper than 3:1 and to a height greater than ten (10) feet on the vertical high walls; and, failed to maintain a minimum fifty (50) foot buffer between the edge of the Mine pit and the adjacent property line, and between the edge of the Mine pit and nearby wetlands.

Action: The Respondent is required to continue to comply with the Department's Cease and Desist Order for the Mine until an Individual Operating Permit for the Mine is issued and effective, and apply Best Management Practices for Sediment and Erosion Control in the interim; or begin reclamation of the Mine within forty-five (45) days of written notification from the Department if the application for an Individual Operating Permit for the Mine is denied; and, pay a civil penalty in the amount of seven hundred fifty dollars (**\$750.00**). The penalty has been paid.

Solid Waste Enforcement

22)	<u>Order Type and Number:</u>	Consent Order 08-13-SW-R2
	<u>Order Date:</u>	June 19, 2008
	<u>Respondent:</u>	Danny W. and Ann H. Corn
	<u>Facility:</u>	Danny W. and Ann H. Corn
	<u>Location/Mailing Address:</u>	15 Adger St., Spartanburg, SC /13 Adger St., Spartanburg, SC 29301
	<u>County:</u>	Spartanburg
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	None
	<u>Violations Cited:</u>	South Carolina Solid Waste Policy and Management Act of 1991, as amended, Construction, Demolition and

Land-Clearing Debris Landfills Regulation, 25A S.C. Code Ann. Reg. 61-107.11, Part IV, A.8.

Summary: Danny W. and Ann H. Corn (Respondents) allowed open dumping of land-clearing debris on property under their ownership or control. This constitutes a violation of the Construction, Demolition and Land-Clearing Debris Landfills Regulation.

Action: The Respondents are required to: cease all unpermitted disposal activities at the Site; remove all debris from the Site; and, pay a civil penalty of three hundred fifty dollars (**\$350.00**).

BUREAU OF WATER

Drinking Water Enforcement

23)	<u>Order Type and Number:</u>	Administrative Order 08-032-DW
	<u>Order Date:</u>	May 14, 2008
	<u>Respondent:</u>	Dennis Hucks d/b/a Sea Nymph Motel
	<u>Facility:</u>	Sea Nymph Motel
	<u>Location/Mailing Address:</u>	601 North Ocean Boulevard Myrtle Beach, S.C. 29577
	<u>County:</u>	Horry
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	26-085B
	<u>Violations Cited:</u>	24A S.C. Code Ann. Regs. 61-51(J)(2) and 61-51(K)(1)(c)

Summary: Dennis Hucks (Respondent) d/b/a Sea Nymph Motel owns and is responsible for the proper operation and maintenance of a Pool. The Respondent has violated the Public Swimming Pools Regulation as follows: operating without possessing a valid operating permit and failure to contact the Department to schedule an inspection to verify that corrections were made prior to re-opening the Pool at the above referenced site.

Action: The Respondent was ordered to: pay a civil penalty in the amount of one thousand six hundred thirty-seven dollars and fifty cents (**\$1,637.50**). The penalty has been paid.

24) Order Type and Number: Consent Order 08-033-DW
Order Date: June 5, 2008
Respondent: **Boone Hall Plantation, Inc.**
Facility: Boone Hall Plantation
Location/Mailing Address: 1235 Longpoint Road
Charleston, S.C. 29465
County: Charleston
Previous Orders: 04-173-DW (\$2800)
Permit/ID Number: 1070916
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.5(B)(2)(f)

Summary: Boone Hall Plantation, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: exceeded the maximum contaminant level (MCL) for Fluoride during the April 2007 – March 2008 compliance period.

Action: The Respondent has agreed to: submit a corrective action plan (CAP); submit a schedule to include proposed steps to address the MCL violations; and pay a **stipulated penalty** in the amount of two thousand dollars (**\$2,000.00**) if it fails to meet any requirement of this Order.

25) Order Type and Number: Consent Order 08-034-DW
Order Date: June 5, 2008
Respondent: **Charleston County School District**
Facility: Edith Frierson Elementary School
Location/Mailing Address: 3999 Bridgeview Drive
N. Charleston, S.C. 29405
County: Charleston
Previous Orders: 07-103-DW (\$4,000 stipulated); 05-003-W (\$12,278)
Permit/ID Number: 1070115
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.7 (B) and 61-58.1(O)(9) (Supp. 2007)

Summary: Charleston County School District (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: failed to properly operate and maintain the PWS and submit a Business Plan.

Action: The Respondent has agreed to: correct all deficiencies; contact the Department to schedule an inspection to verify the completed work; develop a business plan and submit it for Department approval; and pay a **stipulated**

penalty in the amount of four thousand dollars (**\$4,000.00**) if it fails to meet any requirement of this Order.

- 26) Order Type and Number: Consent Order 08-035-DW
 Order Date: June 19, 2008
 Respondent: **YMCA of Beaufort County**
 Facility: YMCA of Beaufort County
 Location/Mailing Address: 1801 Richmond Avenue
 Port Royal, S.C. 29935
 County: Beaufort
 Previous Orders: None
 Permit/ID Number: 07-491B
 Violations Cited: 24A S.C. Code Ann. Regs. 61-51(B)(5)(b), 61-51(J), and 61-51(K)(1)(d)

Summary: YMCA of Beaufort County (Respondent) owns and is responsible for the proper operation and maintenance of a Pool. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to submit a Change Order Request Form prior to modifying the gutters and failure to properly operate and maintain the Pool at the above referenced site.

Action: The Respondent has agreed to: submit a corrective action plan (CAP); a schedule for bringing the Pool into compliance; and pay a **stipulated penalty** in the amount of one thousand one hundred dollars (**\$1,100.00**) if it fails to meet any requirements of this Order.

- 27) Order Type and Number: Consent Order 08-036-DW
 Order Date: July 11, 2008
 Respondent: **Chad Jacobs d/b/a Reaves Ferry Mobile Home Park**
 Facility: Reaves Ferry MHP
 Location/Mailing Address: 5105 Chana Circle
 Conway, S.C. 29526
 County: Horry
 Previous Orders: None
 Permit/ID Number: 2660054
 Violations Cited: 24A S.C. Code Ann. Regs. 61-58.5(B)(2) (Supp. 2007)

Summary: Chad Jacobs (Respondent) d/b/a Reaves Ferry Mobile Home Park is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: produced Running Annual Average results that exceeded the maximum contaminant level (MCL) for Fluoride.

Action: The Respondent has agreed to: submit a Corrective Action Plan (CAP) to include proposed steps to address the MCL exceedances and pay a **stipulated penalty** in the amount of two thousand dollars (**\$2,000.00**) should the Respondent fail to meet any requirement of this Order.

28) Order Type and Number: Consent Order 08-037-DW
 Order Date: July 16, 2008
 Respondent: **City of York**
 Facility: City of York PWS
 Location/Mailing Address: P.O. Box 500
 York, S.C. 29745
 County: York
 Previous Orders: 06-144-DW (\$2,800 stipulated); 07-124-W (\$4500)
 Permit/ID Number: 4610001
 Violations Cited: 24A S.C. Code Ann. Regs. 61-58.13(F)(3) (Supp. 2007) and 61-58.5 (P)(2) (Supp. 2007)

Summary: The City of York (Respondent) is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: failed to achieve a Total Organic Carbon (TOC) removal ratio running annual average (RAA) of 1.00 or greater and produced RAA results that exceeded the maximum contaminant level (MCL) for total trihalomethanes (TTHM).

Action: The Respondent has agreed to: submit an Investigative Report to determine the causes of the low TOC removal ratio and the TTHM exceedances at the PWS; submit a Corrective Action Plan (CAP) to include proposed steps to address those causes; and pay a **stipulated penalty** in the amount of eight thousand dollars (**\$8,000.00**) should the Respondent fail to meet any requirement of this Order.

Water Pollution Enforcement

29) Order Type and Number: Consent Order 08-063-W
 Order Date: June 12, 2008
 Respondent: **Emerald Investments, Inc.**
 Facility: N/A
 Location/Mailing Address: 2117 Highway 72
 Greenwood, S.C. 29649
 County: Greenwood

Previous Orders: 05-083-W (\$11,200)
Permit/ID Number: 32352-WW
Violations Cited: S.C. Code Ann. § 48-1-110(a)(3)
(2008) and 24 S.C. Code Ann. Regs. 61-67.100(E)(7) (Supp. 2007)

Summary: Emerald Investments, Inc. (Respondent) owns and is responsible for the construction and operation of a wastewater collection system (WWCS) located in Greenwood County. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations for wastewater facility construction as follows: failure to obtain approval prior to placing a WWCS into operation.

Action: The Respondent has agreed to: pay a civil penalty in the amount of two thousand dollars (\$2,000.00).

30) Order Type and Number: Consent Order 08-064-W
Order Date: June 19, 2008
Respondent: **Howard Corley WWCS**
Facility: N/A
Location/Mailing Address: S.C. Highway 72 & Mathis Road
Greenwood, S.C. 29649
County: Greenwood
Previous Orders: None in Last 5 Years
Permit/ID Number: 31454-WW
Violations Cited: S.C. Code Ann. § 48-1-110(a)(3)
(2008) and 24A S.C. Code Ann. Regs. 61-67.100(E)(7) (Supp. 2007)

Summary: Howard Corley (Respondent) owns and is responsible for the construction of a wastewater collection system (WWCS) located in Greenwood County. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failure to obtain approval prior to placing a WWCS into operation.

Action: The Respondent has agreed to: obtain approval to place the WWCS into operation; and pay a civil penalty in the amount of two thousand dollars (\$2,000.00). The civil penalty has been paid.

31) Order Type and Number: Consent Order 08-066-W
Order Date: June 15, 2008
Respondent: **Keowee River Club, LLC**
Facility: The Reserve at Lake Keowee
Location/Mailing Address: 620 Pine Grove Church Road
Sunset, S.C. 29685
County: Pickens

Previous Orders: None in Last 5 Years
Permit/ID Number: SCR10F483
Violations Cited: S.C. Code Ann. § 48-1-90(a) (2008)
and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2007)

Summary: Keowee River Club, LLC (Respondent) owns and is responsible for land-disturbing and construction activities at the Reserve at Lake Keowee (Tax Map 4131-00-89-4605) (Site) located in Pickens County. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failure to install and maintain storm water management and erosion and sediment controls per the approved Plans as required by the National Pollutant Discharge Elimination System (NPDES) Permit; and discharged sediment into the environment, including waters of the State, in a manner other than in compliance with a Permit.

Action: The Respondent has agreed to: within thirty (30) days of the execution date of the Order, submit a report, completed and stamped by a S.C. Registered Professional Engineer, certifying that implementation of the necessary storm water and sediment control devices are complete and in accordance with the approved Plans and specifications; and within thirty (30) days of the execution date of this Order, pay a civil penalty in the amount of eight thousand dollars (\$8,000.00). The penalty has been paid.

32) Order Type and Number: Consent Order 08-067-W
Order Date: June 12, 2008
Respondent: **Daufuskie Island Club & Resort, Inc.**
Facility: Daufuskie Island Club & Resort WWTF
Location/Mailing Address: P.O. Box 23285
Hilton Head Island, S.C. 29925
County: Beaufort
Previous Orders: 07-062-W (\$27,800)
Permit/ID Number: ND0068179
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(2008) and 24 S.C. Code Ann. Regs. 61-9.122.21(d)(1) (Supp. 2007)

Summary: Daufuskie Island Club & Resort, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located on Daufuskie Island, in Beaufort County. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failure to submit an administratively complete application for renewal of its State Land Application at least one hundred eighty (180) days prior to the expiration date of the Permit.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit an administratively complete application for renewal of the Permit; continue to operate the facility in accordance with the most recently issued State Land Application Permit until a new permit becomes effective; and pay a civil penalty in the amount of two thousand dollars (\$2,000.00).

33) Order Type and Number: Consent Order 08-069-W
 Order Date: June 30, 2008
 Respondent: **City of Abbeville**
 Facility: Long Cane Creek WWTF
 Location/Mailing Address: P.O. Box 40
 Abbeville, S.C. 29620
 County: Abbeville
 Previous Orders: 03-121-W (\$1,400.00), 04-144-W
 (\$7,000.00), 05-123-W (\$3,500.00)
 Permit/ID Number: SC0040614
 Violations Cited: S.C. Code Ann. § 48-1-110(d) (2008)
 and 24 S.C. Code Ann. Regs. 61-9.403.8 (Supp. 2007)

Summary: The City of Abbeville (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Abbeville County. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failure to properly implement its Pretreatment Program as specified in the National Pollutant Discharge Elimination System (NPDES) Permit.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a summary of corrective actions to correct enforcement action deficiencies; submit a progress report on enforcement actions taken against any Industrial User in Significant Noncompliance; and to pay a civil penalty in the amount of three thousand dollars (\$3,000.00).

34) Order Type and Number: Consent Order 08-070-W
 Order Date: June 19, 2008
 Respondent: **City of Walterboro**
 Facility: Walterboro WWTF
 Location/Mailing Address: P.O. Box 709
 Walterboro, S.C. 29488
 County: Colleton
 Previous Orders: 07-109-W (\$8,400.00)
 Permit/ID Number: SC0040436
 Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (2008) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2007)

Summary: The City of Walterboro (Respondent) owns and is responsible for the proper operation and maintenance of the Walterboro wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failure to consistently comply with the effluent discharge limits of National Pollutant Discharge Elimination System (NPDES) Permit for Ammonia-Nitrogen (NH₃-N).

Action: The Respondent has agreed to: submit a report summarizing specific corrective actions taken and procedures implemented to consistently meet permitted effluent limitations; and pay a civil penalty in the amount of three thousand dollars (\$3,000.00).

35)	<u>Order Type and Number:</u>	Consent Order 08-071-W
	<u>Order Date:</u>	June 19, 2008
	<u>Respondent:</u>	Cheswych, LLC
	<u>Facility:</u>	Site
	<u>Location/Mailing Address:</u>	612 N. McDuffie St. Anderson, S.C. 29621
	<u>County:</u>	Anderson
	<u>Previous Orders:</u>	None in Last 5 Years
	<u>Permit/ID Number:</u>	SCR10F700
	<u>Violations Cited:</u>	S.C. Code Ann. § 48-1-90(a) (2008) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2007)

Summary: Cheswych, LLC (Respondent) owns and is responsible for land-disturbing and construction activities at the intersection of Old Williamston Road and Trammell Road (Tax Map 149-00-01-002) (Site) in Anderson County. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failure to comply with all of the conditions of the National Pollutant Discharge Elimination System (NPDES) Permit; failure to install and maintain storm water management and erosion and sediment controls per the approved Plans as required by the Permit; and discharged sediment into the environment, including waters of the State, in a manner other than in compliance with a Permit.

Action: The Respondent has agreed to: within fourteen (14) days of receiving any Plan review comments, submit a response to the Department; within thirty (30) days following Plan modification approval, complete installation of Sediment Pond #1 and Sediment Trap #1 and all associated sediment and erosion control measures contained in the approved plan, as modified; stabilize all previously disturbed acreage of the Site as shown on the approved Plan to prevent any erosion or discharge of sediment from these disturbed areas; within thirty (30) days of the Plans being approved by the Department, submit a report, completed and stamped by a S.C. Registered Professional Engineer, certifying that

implementation of the necessary storm water and sediment control devices are complete and in accordance with the approved Plans and specifications or submit a Notice of Termination (NOT) for the Site in accordance with Part VIII.A of the NPDES Permit; pay a civil penalty in the amount of twenty-three thousand seven hundred eighty-three dollars (**\$23,783.00**); and, pay a suspended penalty in the amount of ten thousand dollars (\$10,000.00) should the Respondent fail to comply with the requirements of the Order.

- 36) Order Type and Number: Consent Order 08-072-W
 Order Date: June 19, 2008
 Respondent: **Trans America Properties, Inc.**
 Facility: Trans America Travel Center
 Location/Mailing Address: 272 Herring Road
 Fairplay, S. C. 29643

 County: Oconee
 Previous Orders: 06-00192-UST (\$1400); AO 06-0723-UST (\$4250)

 Permit/ID Number: SCR10H803
 Violations Cited: S.C. Code Ann. § 48-1-110(a)(1) (2008) and S.C. Code Ann. Regs. 61-9.122.26(a) (Supp. 2007)

Summary: Trans America Properties, Inc. (Respondent) owns and is responsible for land-disturbing activities at the Trans America Travel Center, located in Oconee County. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: initiated land-disturbing activities prior to obtaining a National Pollutant Discharge Elimination System (NPDES) Permit.

Action: The Respondent has agreed to: submit a report, completed and stamped by a S.C. Registered Professional Engineer, certifying that all storm water and sediment control devices are installed and functioning properly as specified in the Site's erosion and sediment control Plan; submit a revised Notice of Intent (NOI) to address the disturbed area not addressed in the original NOI; and pay a civil penalty in the amount of five thousand one hundred dollars (**\$5,100.00**). The civil penalty is to be paid in two equal installments.

- 37) Order Type and Number: Consent Order 08-074-W
 Order Date: June 30, 2008
 Respondent: **City of Easley**
 Facility: Wimberley Lane Road Widening Extension
 Location/Mailing Address: P.O. Box 466
 Easley, S.C. 29641

 County: Pickens

Previous Orders: 06-222-W (\$9,020.00)
Permit/ID Number: SCR10H266
Violations Cited: S.C. Code Ann. §48-1-90(a) (2008)
and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp.2007)

Summary: The City of Easley (Respondent) owns and is responsible for land-disturbing activities at the Wimberly Lane Road Widening Project (Site) located in Pickens County. The total acreage at the Site is five and two tenths (5.2) acres with the total disturbed acreage of approximately four and seven tenths (4.7) acres. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failure to install and properly maintain all erosion control devices during all phases of construction; and discharged sediment into the environment, including waters of the State, in a manner other than in compliance with a Permit.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a report, completed and stamped by a S.C. Registered Professional Engineer, certifying that implementation of the necessary storm water and sediment control devices are complete and in accordance with the approved Plans and specifications of the Permit; and pay a civil penalty in the amount of five thousand six hundred dollars (\$5,600.00).

38) Order Type and Number: Consent Order 08-075-W
Order Date: June 30, 2008
Respondent: **Woodland Hills Utilities, Inc.**
Facility: WWTF
Location/Mailing Address: Woodland Hills Utilities, Inc.
2712 Middleburg Dr., Suite 208
Columbia, S.C. 29204
County: Lexington
Previous Orders: None in Last 5 Years
Permit/ID Number: SC0029475
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(2008); 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) (Supp. 2007); and 24
S.C. Code Ann. Regs. 61-9.122.41(a) (Supp. 2007)

Summary: Woodland Hills Utilities, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of the wastewater treatment facility (WWTF) in Lexington County. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failure to comply with the permitted discharge limits for Fecal as required by its National Pollutant Discharge Elimination System (NPDES) Permit, and failed to monitor for Fecal in accordance with the sampling frequency in the Permit.

Action: The Respondent has agreed to: within thirty (30) days of the execution date of this Order, submit three (3) copies of a corrective action plan (CAP) addressing the sampling procedures, training requirements for the personnel performing the sampling, and standard operation and maintenance procedures which will be implemented to prevent effluent and permit violations. The CAP shall include a schedule for the completion of all corrective actions, which upon Department approval, shall be incorporated into and become an enforceable part of this Order; and pay a civil penalty in the amount of three thousand one hundred fifty dollars (**\$3,150.00**).

39) Order Type and Number: Consent Order 08-077-W
 Order Date: June 30, 2008
 Respondent: **Cherokee County and Palmetto
Grading and Drainage, Inc.**
 Facility: Upstate Corporate Industrial Park
 a/k/a Project Berry
 Location/Mailing Address: 210 N. Limestone St
 Gaffney, S.C. 29340
 County: Cherokee
 Previous Orders: None
 Permit/ID Number: SCR10H325
 Violations Cited: S.C. Code Ann. § 48-1-90(a) (2008)
 and 24 S. C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp.2007)

Summary: Cherokee County (Respondent # 1) owns and is responsible for roadway, water and wastewater improvements serving Project Berry, located in Cherokee County. Palmetto Grading and Drainage, Inc. (Respondent # 2) is responsible for the installation of a sewer line and all associated appurtenances at the Site. The Respondents have violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: allowed the unauthorized discharge of sediment into the environment, including waters of the State, in a manner other than in compliance with a National Pollutant Discharge Elimination System (NPDES) Permit; and failure to properly install, operate and maintain storm water, sediment and erosion control devices in accordance with the approved Site plan and the Permit.

Action: The Respondents have agreed to: submit a report, completed and stamped by a S.C. Registered, Professional Engineer, certifying that all storm water and sediment control devices are installed and functioning according to the approved Plan; and pay a civil penalty in the amount of nine thousand three hundred fifty-one dollars (**\$9,351.00**).

40) Order Type and Number: Consent Order 08-073-W
 Order Date: July 3, 2008

<u>Respondent:</u>	David Hjalmer
<u>Facility:</u>	Proscape Warehouses
<u>Location/Mailing Address:</u>	159 Highland Drive Greenwood, S.C. 29649
<u>County:</u>	Greenwood
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	File # 24-07-09-04
<u>Violations Cited:</u>	24 S. C. Code Ann. Regs. 61-9.122.26(c)(1) (Supp.2007)

Summary: David Hjalmer (Respondent) owns and is responsible for land-disturbing activities at the Proscape Warehouses, located in Greenwood County. The Respondent has violated the Water Pollution Control Permit Regulations as follows: initiated land-disturbing activities prior to obtaining a National Pollutant Discharge Elimination System (NPDES) Permit.

Action: The Respondent has agreed to: submit a report, completed and stamped by a S.C. Registered Professional Engineer, certifying that the Site has been stabilized; and pay a civil penalty in the amount of one thousand six hundred dollars (**\$1,600.00**). The penalty has been paid.

41) <u>Order Type and Number:</u>	Consent Order 08-078-W
<u>Order Date:</u>	July 11, 2008
<u>Respondent:</u>	Laurens County School District 56
<u>Facility:</u>	New Clinton High School
<u>Location/Mailing Address:</u>	Highway 72 and Springdale Drive Clinton, S.C. 29325
<u>County:</u>	Laurens
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	SCR10F359
<u>Violations Cited:</u>	S.C. Code Ann. § 48-1-90(a) (2008) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2007)

Summary: Laurens County School District 56 (Respondent) owns and is responsible for land-disturbing and construction activities on property located in the Town of Clinton, Laurens County. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: discharged storm water into waters of the State in contravention of a National Pollutant Discharge Elimination System (NPDES) Permit; and failure to adequately maintain all approved storm water best management practices (BMP).

Action: The Respondent has agreed to: submit a report, completed and stamped by a S.C. Registered Professional Engineer certifying compliance with the NPDES Permit and Storm Water Pollution Prevention Plan; and pay a civil

penalty in the amount of twenty-seven thousand five hundred dollars (\$27,500.00).

42) Order Type and Number: Consent Order 08-079-W
 Order Date: July 3, 2008
 Respondent: **Locust Tree WWTF, Inc.**
 Facility: Locust Tree WWTF
 Location/Mailing Address: SC Hwy 908 and Hwy 41
 1354 Delta Mills Road
 Pamplico, S.C. 29583

 County: Marion
 Previous Orders: CO 03-074-W, AO 07-022-W
 Permit/ID Number: ND0080721
 Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (2008); 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2007); and
 24 S.C. Code Ann. Regs. 61-9.122.21(d)(2) (Supp 2007)

Summary: Locust Tree WWTF, Inc. (Respondent) is responsible for the proper operation and maintenance of the wastewater treatment facility (WWTF), located in Marion County. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failure to submit an administratively complete application for renewal of its State Land Application Permit at least one hundred eighty (180) days prior to the expiration date of the permit; failure to perform routine monitoring per the requirements of the Permit; and failure to properly operate and maintain the WWTF in accordance with the Permit.

Action: The Respondent has agreed to: perform monitoring as required by the Permit; repair all inoperable equipment at the WWTF within 180 days of the execution date of this Order; submit bi-monthly progress reports of the repairs made to the WWTF, pay a civil penalty in the amount of ten thousand fifty dollars (\$10,050.00) and, pay a suspended penalty in the amount of thirty thousand one hundred fifty dollars (\$30,150.00) should the Respondent fail to maintain compliance with the Permit or the Order.

43) Order Type and Number: Consent Order 08-080-W
 Order Date: July 3, 2008
 Respondent: **Corburn Company, Inc.**
 Facility: Evans Pond Rd./Biltmore St.
 Location/Mailing Address: 218 Hunt St.
 Greenwood, S.C. 29649

 County: Greenwood
 Previous Orders: None in Last 5 Years
 Permit/ID Number: 33153-WW, 31256-WW

Violations Cited:
(2008)

S.C. Code Ann. § 48-1-110(a)(3)

Summary. The Corburn Company, Inc. (Respondent) owns and is responsible for five hundred and eighty linear feet of eight-inch gravity sewer and four manholes to serve eight residential lots along Evans Pond Road in Greenwood County. The Respondent also owns and is responsible for one hundred and five linear feet of eight-inch gravity sewer and two manholes to serve two residential lots along Biltmore Street in Greenwood County. The Respondent has violated the Pollution Control Act as follows: initiated operation of multiple sewer lines without Department approval.

Action: The Respondent has agreed to: request an inspection from the Department's Regional EQC Office, Regional I Greenwood, for the purpose of obtaining approval to operate the sewer connections; and, pay a civil penalty in the amount of three thousand sixty dollars (**\$3,060.00**).

44) Order Type and Number: Consent Order 08-081-W
Order Date: July 3, 2008
Respondent: **City of Rock Hill**
Facility: Manchester Creek WWTF
Location/Mailing Address: P.O. Box 11706
Rock Hill, S.C. 29731-1706
County: York
Previous Orders: 05-130-W (\$9,800.00)
Permit/ID Number: SC0020443
Violations Cited: S.C. Code Ann. § 48-1-90(a) (2008);
25 S. C. Code Ann. Regs. 61-68.E(5)(d) and G(10)(b) and (c) (Supp.2007)

Summary: The City of Rock Hill (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater collection system (WWCS) in York County. The Respondent has violated the Pollution Control Act and Water Classifications and Standards Regulations as follows: discharged approximately one million gallons of sewage into the environment, including waters of the State, in a manner other than in compliance with a Permit; and the discharge resulted in low dissolved oxygen levels, which interfered with the classified uses and existing uses of a water body and proved to be harmful to aquatic life.

Action: The Respondent has agreed to: submit a final summary report detailing all corrective action taken to address the deficiencies to include updating Standard Operating Procedure (SOP) manuals and actions taken by Mission Control Communication systems; and pay sixteen thousand seven hundred forty-nine dollars (\$16,749.00) for lost resources and investigative costs for the fish kill. The Department has assessed a **suspended penalty** in the amount of ten

thousand dollars (**\$10,000.00**), which is payable should the Respondent fail to meet the requirements of the Order.

- 45) Order Type and Number: Consent Order 08-085-W
 Order Date: July 11, 2008
 Respondent: **City of Georgetown**
 Facility: City of Georgetown WWTF
 Location/Mailing Address: P.O. Box 939
 Georgetown, S.C. 29442
 County: Georgetown
 Previous Orders: 07-114-W (\$3850, \$11,550
 Suspended)
 Permit/ID Number: SC0040029
 Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (Supp. 2008); and 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp. 2007).

Summary: The City of Georgetown (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failure to comply with the effluent discharge limits of National Pollutant Discharge Elimination System (NPDES) Permit for total suspended solids percent removal.

Action: The Respondent has agreed to: submit an inflow/infiltration (I/I) study detailing priority deficiencies and a detailed summary of corrective actions taken; documentation indicating that the wastewater collection system (WWCS) can meet the allowable limits of inflow (275 gallons per day per capita) and the allowable infiltration (3,000 gallons per day per inch-mile of pipe); submit an I/I study plan if the WWCS cannot meet the allowable I/I ranges; and pay a civil penalty in the amount of five thousand one hundred dollars (**\$5,100.00**).

- 46) Order Type and Number: Consent Order 08-086-W
 Order Date: July 18, 2008
 Respondent: **The Plains, LLC**
 Facility: The Plains
 Location/Mailing Address: 402 Old Trolley Road, Suite 102
 Summerville, S.C. 29485
 County: Aiken
 Previous Orders: None
 Permit/ID Number: SCR10F787
 Violations Cited: S.C. Code Ann. § 48-1-90(a) (2008),
 and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp.2007)

Summary: The Plains, LLC (Respondent) owns and is responsible for development and construction activities at The Plains located off Cooks Bridge Road between Wire Road and Beaver Dam Road (Site) in Aiken County (Tax Map # 151-19-01-001 & 152-06-01-001). Total acreage at the Site is six hundred twenty and five tenths (620.5) with approximately one hundred one (101.0) acres disturbed. The Respondent has violated the Pollution Control Act and associated Regulations as follows: initiated land-disturbing activities outside the permitted area; and failure to install and properly maintain all erosion control devices during all phases of construction and discharged sediment into the environment, including waters of the State, in a manner other than in compliance with a Permit.

Action: The Respondent has agreed to: submit a Notice of Intent (NOI) and plans, specifications and all supporting documents to obtain coverage under National Pollutant Discharge Elimination System (NPDES) Permit for the disturbed area of the Site, to include the area covered under Certificate # SCR10F787 and the unpermitted disturbed area; submit a report, completed and stamped by a S.C. Registered Professional Engineer, certifying that implementation of the necessary storm water and sediment control devices are complete and in accordance with the approved plans and specifications of the NPDES Permit; and pay a civil penalty in the amount of thirty-nine thousand one hundred fifty dollars (**\$39,150.00**) payable in quarterly installments over a twelve (12) month period.

47)	<u>Order Type and Number:</u>	Consent Order 08-087-W
	<u>Order Date:</u>	July 18, 2008
	<u>Respondent:</u>	Mark Stinson
	<u>Facility:</u>	Mark Stinson Property
	<u>Location/Mailing Address:</u>	P. O. Box 967 Rutherford College, NC 28761-0967
	<u>County:</u>	Lancaster
	<u>Previous Orders:</u>	None in Last 5 Years
	<u>Permit/ID Number:</u>	Unpermitted
	<u>Violations Cited:</u>	S.C. Code Ann. § 48-1-90(a) (2008); and 24 S.C. Code Ann. Regs. 61-9.122.26(a)(1) (Supp. 2007)

Summary: Mark Stinson (Respondent), located in Rutherford College, North Carolina, owns and is responsible for land-clearing and construction activities on a tract of land on Highway 521 Business in Lancaster County. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: initiated land-disturbing and construction activities without the appropriate permits or approvals; and allowed the discharge of sediment into the environment, including waters of the State, in a manner other than in compliance with a Permit.

Action: The Respondent has agreed to: submit a report, completed and stamped by an S.C. Registered Professional Engineer, certifying that all storm water, sediment and erosion control measures have been installed and are functioning properly; and pay a civil penalty in the amount of fourteen thousand one hundred eighty-eight dollars (**\$14,188.00**). The penalty is to be paid in four quarterly installments.

48) Order Type and Number: Consent Order 08-088-W
 Order Date: July 22, 2008
 Respondent: **Greenville-Spartanburg Airport
Commission and M&W Clearing
& Grading, Inc.**

 Facility: Satterfield Site
 Location/Mailing Address: 869 Highway 101 South
 Greer S.C. 29651

 County: Spartanburg
 Previous Orders: None
 Permit/ID Number: 42-08-01-15
 Violations Cited: S.C. Code Ann. § 48-1-90(a) (2008)
 and 24 S. C. Code Ann. Regs. 61-9.122.26(c)(1) (Supp.2007)

Summary: Greenville-Spartanburg Airport Commission (Respondent #1) owns and is responsible for land-disturbing activities at 869 Highway 101 South, in Spartanburg County. M&W Clearing and Grading Inc. (Respondent #2) is responsible for grading activities at the Site. The Respondents have violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: initiated land-disturbing activities prior to obtaining a Permit; and allowed the unauthorized discharge of sediment into the environment, including waters of the State, in a manner other than in compliance with a Permit.

Action: The Respondents have agreed to: within thirty (30) days from the execution date of the Order, pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**).

BUREAU OF AIR QUALITY

49) Order Type and Number: Consent Order 08-019-A
 Order Date: June 5, 2008
 Respondent: **Suminoe Textile of America Corp**
 Facility: Suminoe Textile of America Corp
 Location/Mailing Address: 10 Commerce Dr

Gaffney, SC 29340
County: Cherokee
Previous Orders: N/A
Permit/ID Number: 0600-0088
Violations Cited: S.C. Code Ann. § 48-1-110(d); South Carolina Air Pollution Control Regulation 61-62.1, Section II, Permit Requirements; and South Carolina Air Pollution Control Regulation 61-62.1, II.A.3. and 4.

Summary: Suminoe Textile of America Corporation (Respondent) owns and operates a facility that manufactures automotive textile materials such as door panels, headliners, and flooring. On May 3, 2004, the Department issued Air Quality Operating Permit 0600-0088 to Respondent. Respondent violated State Regulations and Statutes as follows: failed to maintain a log of operation and maintenance checks; failed to submit a written request to obtain an operating permit prior to placing into operation a face finishing department consisting of two napping lines; and failed to submit written notification of the date construction was commenced for three new napping machines.

Action: The Respondent has agreed to: maintain the required records and submit the required notifications and requests in the future; and pay a civil penalty in the amount of five thousand five hundred dollars (\$5,500.00).

50) Order Type and Number: Consent Order 08-020-A
Order Date: June 5, 2008
Respondent: **Crown Metro Chemicals, Inc.**
Facility: Crown Metro Chemicals, Inc.
Location/Mailing Address: 315 Echelon Rd
 Greenville, SC 29605
County: Greenville
Previous Orders: 03-103-A (\$16,000); 04-016-HW (\$18,000); 06-057-W (\$1600)
Permit/ID Number: 1200-0034
Violations Cited: U.S. EPA 40 CFR 60.44c (g), 60.48c (g), and 60.7(a) (4); U.S. EPA 40 CFR 64(e); South Carolina Air Pollution Control Regulation 61-62.60, Subparts A and Dc; South Carolina Air Pollution Control Regulation 61-62.1, Sections II.A.1.b. and IV.F.1. Consent Order 03-103-A; and S.C. Code Ann. § 48-1-110(d).

Summary: Crown Metro Chemicals, Inc. (Respondent), located in Greenville, SC, manufactured specialty chemicals and coatings. The Department issued Part 70 (Title V) Air Quality Operating Permit TV-1200-0034 to Respondent, effective October 1, 2005. Respondent violated Federal and State Regulations and Statutes as follows: failed to submit a notification prior to modifying and increasing the emission rate of a boiler; failed to conduct a

performance test on the initial oil to be fired in the boiler; failed to maintain daily records of the amounts and types of each fuel combusted by the boiler; failed to obtain a construction permit prior to altering the capacity of the boiler; failed to conduct a timely source test to determine a pressure differential range of a baghouse, and submit the range and test results following completion of the test; failed to maintain a pressure differential gauge on the baghouse; and failed to submit a Title V Annual Compliance Certification that accurately certified compliance with the conditions of its Title V Permit during the reporting period ending September 30, 2006.

Action: Respondent has agreed to: submit the required notifications, maintain the required records, obtain the required Department-issued permits, and complete the required testing in the future; and pay a civil penalty in the amount of seventeen thousand five hundred dollars (**\$17,500.00**).

51) Order Type and Number: Consent Order 08-022-A
 Order Date: June 16, 2008
 Respondent: **Mrs. Viviana Mejia and Mr. Roger Mejia**
 Facility: 214 Nash Mill Rd
 Fountain Inn, SC 29644
 Location/Mailing Address: 214 Nash Mill Rd
 Fountain Inn, SC 29644
 County: Greenville
 Previous Orders: N/A
 Permit/ID Number: N/A
 Violations Cited: South Carolina Air Pollution Control
 Regulation 61-62.2, Prohibition of Open Burning; Regulation 61.86.1,
 Standards of Performance for Asbestos Projects; U.S. EPA 40 CFR Part
 61, Subpart M.

Summary: Mr. Roger and Mrs. Viviana Mejia (Respondents), violated Federal and State asbestos regulations and State open burning regulations as follows: demolished seven mobile homes prior to conducting an asbestos survey, providing permit notification and fees, and obtaining a license; and burned the mobile homes.

Action: The Respondent has agreed to: submit required notification and applicable fees; obtain a project license in the future; and pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**). The penalty has been paid.

52) Order Type and Number: Consent Order 08-023-A
 Order Date: June 12, 2008
 Respondent: **Continental Contractors, Inc.**

Facility: Continental Contractors, Inc.
Location/Mailing Address: 410 Seven Ave., Ste. 410
Annapolis, MD 21403
County: Richland
Previous Orders: N/A
Permit/ID Number: N/A
Violations Cited: South Carolina Air Pollution Control
Regulations 61-86.1, Section III.A., Section IV.B.5.a., and Section VI.B.,
B.2., and D.

Summary: Continental Contractors, Inc (Respondent) is a construction company based in Annapolis, Maryland. The Respondent violated State Asbestos Regulations as follows: failed to provide written notification, obtain an asbestos project license, and pay fees prior to beginning an asbestos abatement project; failed to meet the required work practice requirements, including but not limited to, wetting, proper removal, and storage of regulated asbestos-containing materials; and failed to ensure that workers who engaged in an asbestos project were licensed by the Department.

Action: The Respondent has agreed to: ensure that workers are licensed by the Department, provide the required notifications, pay the applicable fees, obtain the required licenses, and meet the required work practice requirements in the future; and pay a civil penalty in the amount of five thousand five hundred dollars (**\$5,500.00**).

53) Order Type and Number: Consent Order 08-024-A,
Order Date: June 12, 2008
Respondent: **Galey & Lord, LLC.**
Facility: Society Hill Plant
Location/Mailing Address: PO Box 157
Society Hill, SC 29593
County: Darlington
Previous Orders: 03-007-A (\$5,000), 03-162-W
(\$4800), 06-009-A (\$10,000), 07-
043-A (\$18,000), 07-036-W
(\$10,200)
Permit/ID Number: 0820-0010
Violations Cited: S.C. Code Ann § 48-1-90(a), South
Carolina Air Pollution Control Regulation 61-62.5, Standard No. 1,
Consent Order 07-043-A, and Consent Order 06-009-A

Summary: Galey & Lord Industries, LLC, ("Respondent") located in Society Hill, South Carolina, produces dyed and finished woven cotton and cotton/synthetic blend fabrics. The Department issued Part 70 (Title V) Air Quality Operating Permit 0820-0010 to the Respondent, effective January 25,

2000. The Respondent has violated State Regulations and its Permit in that it exceeded its 20% opacity limit for Boiler 1 and Boiler 2, based on Continuous Opacity Monitoring ("COM") reports and a Method 9 visible emissions observation.

Action: The Respondent has agreed to: henceforth comply with its opacity limits; conduct daily VEOs by trained personnel to demonstrate compliance with its established opacity limits; within sixty (60) days of the effective date of the Order, submit to the Department a corrective action plan which includes a comprehensive review of the boilers and emissions control system identification of the cause(s) or probable cause(s) of the opacity exceedances; and pay a civil penalty in the amount of twenty thousand dollars (\$20,000.00).

54) Order Type and Number: Consent Order 08-027-A
Order Date: June 17, 2008
Respondent: **Spartan Filtering Systems, Inc.**
Facility: Spartan Filtering Systems, Inc.
Location/Mailing Address: 727 Bryant Rd
Spartanburg, SC 29303
County: Spartanburg
Previous Orders: 05-08-HW (\$14,700 Suspended)
Permit/ID Number: 2060-0421
Violations Cited: U.S. EPA Regulations 40 CFR 63.342(f)(3)(i), 63.343(b), and 63.347(c)(2); and South Carolina Air Pollution Control Regulations 61-62.1, Section II.A.1.b. and Section II.F.1.

Summary: Spartan Filtering Systems, Inc. (Respondent) is a machine shop that operates two hard chrome-electroplating tanks and specializes in hydraulic components. On December 19, 2007, the Department issued Air Quality Operating Permit 2060-0421 to Respondent for two hard chrome-electroplating tanks, a caustic stripper tank, and a packed bed scrubber. Respondent violated Federal and State Regulations as follows: failed to develop and maintain an Operation & Maintenance (O&M) plan; failed to conduct a required initial source test for chromium emissions from its two hard chrome-electroplating tanks; failed to submit an initial notification of regulatory applicability to its operation; failed to apply for and obtain the required permits prior to installing and operating sources of air contaminants; and failed to submit a written notification of the actual date of initial startup of each new or altered source.

Action: The Respondent has agreed to: ensure that it applies for and obtains required permits or exemptions prior to installing, operating, or modifying a source of air contaminants; ensure that it maintains compliance with all

recordkeeping and reporting requirements; and pay a civil penalty in the amount of twelve thousand dollars (**\$12,000.00**) payable in twelve (12) monthly payments of one thousand dollars (\$1,000.00).

55) Order Type and Number: Consent Order 08-028-A
 Order Date: June 17, 2008
 Respondent: **Aurora Specialty Textiles Group, Inc.**
 Facility: Aurora Specialty Textiles Group, Inc.
 Location/Mailing Address: 19 Page Ct
 Travelers Rest, SC 29690
 County: Greenville
 Previous Orders: N/A
 Permit/ID Number: 1200-0187
 Violations Cited: U.S. EPA 40 CFR 60.48c (f) and
 South Carolina Air Pollution Control Regulation 61-62.60 - Subpart Dc,
 and S. C. Code Ann. § 48-1-110(d).

Summary: Aurora Specialty Textiles Group, Inc. (Respondent) owns and operates an embroidery and wet textile-processing plant. The Department issued Air Quality Operating Permit 1200-0187 to Respondent, effective April 11, 2001. Respondent violated Federal and State Regulations and Statutes as follows: failed to submit semiannual reports of fuel supplier certification; and failed to submit an annual report of fuel consumption.

Action: The Respondent has agreed to: submit the required reports and certifications; and pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**).

56) Order Type and Number: Consent Order 08-029-A
 Order Date: June 17, 2008
 Respondent: **Grant-Allendale, LP and Grant-Clarendon, LP**
 Facility: Grant-Allendale and Grant-Clarendon
 Location/Mailing Address: Grant-Allendale
 U.S. Hwy 321
 Fairfax, SC
 Grant-Clarendon
 Reevesville Rd
 Manning, SC
 County: Allendale and Clarendon
 Previous Orders: N/A

Permit/ID Number: 0160-0020 and 0680-0046
Violations Cited: South Carolina Air Pollution Control Regulation 61-62.5, Standard 7, Prevention of Significant Deterioration of Air Quality (“PSD”), S.C. Code Ann § 48-1-90(a), South Carolina Air Pollution Control Regulation 61-62.63, National Emission Standards for Hazardous Air Pollutants for Source Categories, Subpart DDDD, South Carolina Air Pollution Control Regulations 61-62.1, Permit Requirements

Summary: Grant-Allendale, LP operates an oriented strand board (“OSB”) production plant in Fairfax, South Carolina (“Respondent #1”). The Department issued Synthetic Minor Construction Permit 0160-0020-CA (“Permit 0160-0020”) to Respondent #1 on September 12, 2005. Respondent #1 has violated South Carolina Air Pollution Control Regulations as follows: failure to complete a PSD review prior to commencing construction of its OSB production plant; failure to limit volatile organic compound (“VOC”) and carbon monoxide (“CO”) emissions to less than 250 TPY; failure to conduct a source test on its furnaces, dryers, press, wet electrostatic precipitators 1-6, and regenerative thermal oxidizers 1-4 within 180 days of startup of the facility; failure to limit the free formaldehyde content of each batch of liquid resin at or below 0.2%; failure to submit to the Department, a signed statement that it is using non-HAP coatings; failure to submit a compliance report that includes all required information; and failed to operate the selective non-catalytic reduction units whenever the emissions from the furnaces and dryers are required to be controlled.

Grant-Clarendon, LP is in the process of constructing an OSB production plant in Manning, South Carolina (“Respondent #2”). Respondent #2’s plant is identical to the OSB production plant that has been constructed and is currently being operated by Respondent #1. The Department issued Synthetic Minor Construction Permit 0680-0046-CA (“Permit 0680-0046”) to Respondent #2 on November 14, 2005. Respondent #2 has violated South Carolina Air Pollution Control Regulations as follows: failure to complete a PSD review prior to commencing construction of its OSB production plant.

Action: Respondent #1 has agreed to: Submit appropriate and timely responses to the Department requests for information regarding the PSD permit application submitted to the Department on December 27, 2007; ensure that appropriate emissions control technology is installed and operated on all affected sources and that the control technology is installed and operated in accordance with the manufacturer’s specifications; Following the Department’s issuance of a PSD permit, henceforth comply with all emissions limits established in the permit and applicable regulations; henceforth conduct all source tests in accordance with Department-issued permits and applicable regulations; henceforth ensure that all required reports are submitted to the Department, all required reports are submitted to the Department in a timely manner, and all required reports are complete and accurate; henceforth ensure that all emissions control equipment is properly operated in accordance with applicable permit and

regulatory requirements; operate the OSB production plant in a manner that minimizes emissions and is conducted in accordance with the manufacturer's specifications for proper operation and maintenance of process equipment and currently installed emission controls until such time as the Department issues the appropriate applicable permits; implement the Environmental Neutrality Plan submitted to the Department on April 14, 2008, that reduces VOC and CO emissions to the extent that the VOC and CO emissions have exceeded the VOC and CO emission limits in Permit 0160-0020; and pay a civil penalty in the amount of six hundred thousand dollars (**\$600,000.00**) to be paid in eight monthly installments of seventy-five thousand dollars (\$75,000.00).

Respondent #2 has agreed to: discontinue any additional construction, commissioning, or emission-generating activities until such time as the Department issues the appropriate applicable permits and approvals; submit appropriate and timely responses to Department requests for information regarding the PSD permit application submitted to the Department on December 27, 2007; comply with all deadlines the Department establishes for submittal of information regarding the matters set forth in this Order; and pay a civil penalty in the amount of two hundred thousand dollars (**\$200,000.00**) to be paid in eight monthly installments of twenty-five thousand dollars (\$25,000.00).

57) <u>Order Type and Number:</u>	Consent Order 08-021-A
<u>Order Date:</u>	July 9, 2008
<u>Respondent:</u>	Mr. Michael Clinton d/b/a Timberline Tree Service
<u>Facility:</u>	Mr. Michael Clinton d/b/a Timberline Tree Service
<u>Location/Mailing Address:</u>	PO Box 113 Dalzell, SC 29040
<u>County:</u>	Sumter
<u>Previous Orders:</u>	N/A
<u>Permit/ID Number:</u>	N/A
<u>Violations Cited:</u>	South Carolina Air Pollution Control Regulation 61-62.2, Prohibition of Open Burning.

Summary: Mr. Michael Clinton d/b/a Timberline Tree Service (Respondent), located in Dalzell, SC, owns and operates a tree removal service. The Respondent violated these South Carolina Air Pollution Control Regulations as follows: burned materials prohibited by the regulation, burned land-clearing debris less than 1,000 feet from the nearest public roadway, and burned materials generated from another location.

Action: The Respondent has agreed to: cease open burning, except as provided by the South Carolina Air Pollution Control Regulations; pay to the Department a civil penalty in the amount of eighteen hundred dollars (**\$1800.00**)

payable in monthly installments of \$600.00 each; and, pay a suspended penalty in the amount of sixteen thousand two hundred dollars (\$16,200.00) should the Respondent fail to meet any requirement of the Order. The first payment has been received.

58) Order Type and Number: Consent Order 08-031-A
 Order Date: July 3, 2008
 Respondent: **The SEFA Group, Inc.**
 Facility: The SEFA Group, Inc.
 Location/Mailing Address: 6055 Bush River Rd
 Columbia, SC 29212

 County: Lexington
 Previous Orders: N/A
 Permit/ID Number: 1560-0171
 Violations Cited: U.S. EPA 40 CFR 52.21 and South
 Carolina Air Pollution Control Regulation 61-62.5, Standard No. 7,
 Prevention of Significant Deterioration (PSD)

Summary: The SEFA Group, Inc. (Respondent) owns and operates a coal combustion byproduct (CCB) fly ash beneficiation (FAB) plant located in Irmo, South Carolina. On March 27, 2006, the Department issued Construction Permit 1560-0171 to Respondent for a CCB FAB reactor and its associated equipment. Respondent violated Federal and State Regulations as follows: failed to complete a PSD review or accept federally-enforceable limits to avoid the requirements of PSD prior to commencing construction of the plant.

Action: The Respondent has agreed to pay a civil penalty in the amount of forty-five thousand dollars (**\$45,000.00**). The penalty is due August 2, 2008.

59) Order Type and Number: Consent Order 08-032-A
 Order Date: July 11, 2008
 Respondent: **Mr. Elijah Blocker, Sr.**
 Facility: Mr. Elijah Blocker, Sr.
 Location/Mailing Address: 131 Hancock Road
 Aiken, SC 29803

 County: Aiken
 Previous Orders: 06-014-A (\$250 Suspended)
 Permit/ID Number: N/A
 Violations Cited: South Carolina Air Pollution Control
 Regulation 61-62.2., *Prohibition of Open Burning*

Summary: Mr. Blocker (Respondent) owns residential property at 131 Hancock Road, Aiken, SC. The Respondent has violated State Regulations in that he burned materials prohibited by the regulation.

Action: The Respondent has agreed to cease open burning, except as provided by the South Carolina Air Pollution Control Regulations and pay to the Department a civil penalty in the amount of two thousand dollars (**\$2,000.00**) in five monthly installments. The first installment has been received.

60) Order Type and Number: Consent Order 08-033-A
 Order Date: July 22, 2008
 Respondent: **Pyramid Project Management LLC**
 Facility: Pyramid Project Management LLC
 Location/Mailing Address: One Post Office Square, Ste. 3100
 Boston, MA 02109
 County: Richland
 Previous Orders: N/A
 Permit/ID Number: N/A
 Violations Cited: U.S. EPA 40 CFR 61.145(a), South
 Carolina Air Pollution Control Regulations 61-86.1, Section III.A.,
 Section IV.B.1. and 5.a., and Section VI.B., B.2., and D.

Summary: Pyramid Project Management LLC (Respondent) is a project management company based in Boston, Massachusetts. The Respondent violated Federal and State Asbestos Regulations as follows: failed to ensure an asbestos survey was conducted, provide written notification, obtain an asbestos project license, and pay fees prior to beginning an asbestos abatement project; failed to meet the required work practice requirements, including but not limited to, wetting, proper removal, and storage of regulated asbestos-containing materials; and failed to ensure that workers who engaged in an asbestos project were licensed by the Department.

Action: The Respondent has agreed to: ensure that an asbestos survey is conducted, workers are licensed by the Department; provide the required notifications; pay the applicable fees; obtain the required licenses; meet the required work practice requirements in the future; and pay a civil penalty in the amount of seven thousand five hundred dollars (**\$7,500.00**).

61) Order Type and Number: Consent Order 08-034-A
 Order Date: July 22, 2008
 Respondent: **Mr. Rodney Brooks d/b/a Brooks**
 Tree Service
 Facility: Mr. Rodney Brooks d/b/a Brooks
 Tree Service
 Location/Mailing Address: 5420 Hwy 9
 Inman, SC 29349
 County: Spartanburg

Previous Orders: N/A
Permit/ID Number: N/A
Violations Cited: South Carolina Air Pollution Control Regulations 61-62.2, Section I.A. and I.E.3.

Summary: Mr. Rodney Brooks d/b/a Brooks Tree Service (Respondent), located in Inman, South Carolina, owns and operates a tree-cutting service and a saw mill at his residence. Respondent violated State Regulations as follows: burned land-clearing debris that was generated offsite and moved to his site from another location.

Action: The Respondent has agreed to: cease open burning except as in compliance with South Carolina Air Pollution Control Regulation 61-62.2, Prohibition of Open Burning; and pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

62) Order Type and Number: Consent Order 08-035-A
Order Date: July 29, 2008
Respondent: **Mr. Craig Banks d/b/a Banks Brothers Asphalt Paving**
Facility: Mr. Craig Banks d/b/a Banks Brothers Asphalt Paving
Location/Mailing Address: PO Box 670
Travelers Rest, SC 29690
County: Greenville
Previous Orders: 05-053-A (\$3,000); 07-050-A (\$1,500)
Permit/ID Number: 9900-0454
Violations Cited: U.S. EPA 40 CFR 60.92(a)(2); South Carolina Air Pollution Control Regulation 61-62.60, Subpart I; South Carolina Air Pollution Control Regulation 61-62.5, Standard 4, Section VI.C.; South Carolina Air Pollution Control Regulation 61-62.1, Sections II.A.4. and IV.F.1; S. C. Code Ann. § 48-1-90(a); Consent Order 07-050-A; and South Carolina Regulation 61-30, Environmental Protection Fees.

Summary: Mr. Craig Banks d/b/a Banks Brothers Asphalt Paving (Respondent), located in Travelers Rest, South Carolina, owns and operates an asphalt paving company. The Respondent violated Federal and State Regulations and State Statutes as follows: failed to limit opacity to 20% from the asphalt plant; failed to submit a final source test report following completion of an October 30, 2007, source test; and failed to pay late fees associated with its air emissions fees.

Action: The Respondent has agreed to: limit opacity to 20% from the plant; submit timely final source test reports; pay all applicable air emissions fees; pay the late fees; and pay a civil penalty in the amount of eight thousand dollars

(\$8,000.00) payable in four (4) equal payments of two thousand dollars (\$2,000.00) each. The first payment has been paid.

- 63) Order Type and Number: Consent Order 08-037-A
 Order Date: July 29, 2008
 Respondent: **Carolina Lumber, L.L.C.**
 Facility: Carolina Lumber, L.L.C.
 Location/Mailing Address: PO Drawer 303
 Rowesville, SC 29133
 County: Orangeburg
 Previous Orders: 04-032-A (\$30,000)
 Permit/ID Number: TV-1860-0036
 Violations Cited: S.C. Code Ann. § 48-1-90(a), and
 South Carolina Air Pollution Control Regulation 61-62.5, Standard No. 1,
 Section II.A., in that it exceeded its established PM emissions limit for
 Boiler 1, during a Department-approved source test conducted on
 December 12, 2007. S.C. Code Ann. § 48-1-110(d), and South Carolina
 Air Pollution Control Regulation 61-62.1, Section IV.F.1., in that it failed
 to submit final source test results within 30 days of testing.

Summary: Carolina Lumber, L.L.C. (Respondent), located in Rowesville, South Carolina, is a wood product manufacturing facility. The Respondent violated South Carolina Air Pollution Control Regulations and its Title V Permit as follows: exceeded its established PM emissions limit for Boiler 1, during a source test conducted on December 12, 2007; failed to submit final source test results within 30 days of testing.

Action: The Respondent has agreed to: limit its Boiler 1 PM emissions to 0.6 lbs/106 BTU input; submit reports of final source tests results to the Department no later than thirty (30) calendar days after the test is conducted; include the deviations in its next Title V Annual Compliance Certification that accurately reflects the compliance status of the facility during the reporting period; pay to the Department a civil penalty in the amount of four thousand five hundred dollars **(\$4,500.00)**.

Joint Orders

- 64) Order Type and Number: Consent Order 08-025-A, 08-068-W
 Order Date: June 12, 2008
 Respondent: **Ideal Steel, Inc.**
 Facility: Ideal Steel, Inc.
 Location/Mailing Address: 120 Halpers Rd.
 Seneca, SC, 29678

<u>County:</u>	Oconee
<u>Previous Orders:</u>	N/A
<u>Permit/ID Number:</u>	SCR004792; LOA-003570
<u>Violations Cited:</u>	South Carolina Air Pollution Control Regulation 61-62.1, Section II.A.1.a.; South Carolina Air Pollution Control Regulation 61-62.1, Section II.B.1.; S.C. Code Ann. § 48-1-110 (a)(2008); 24 S.C. Code Ann Regs. 61-9.122.21(a) (1) (Supp. 2007)

Summary: Ideal Steel, Inc. (Respondent), located in Seneca, SC is a custom steel plate processing facility. The Respondent violated State Statute and Regulation as follows: failed to obtain a construction permit from the Department prior to installing a source of air contaminants; failed to submit a written request to obtain an operating permit to the Department at least fifteen (15) days prior to placing a source of air contaminants into operation; it operated a waste disposal system discharging pollutants prior to applying for Department coverage or approval; and, it discharged waste into the environment in a manner other than in compliance with a permit issued by the Department.

Action: The Respondent has agreed to: submit a preliminary engineering report; begin construction of wastewater disposal facilities; obtain final Approval to Operate from the DHEC EQC Anderson Office; submit and implement an environmental assessment plan and approved monitoring program for permanent wells; submit an interim assessment report; delineate the vertical and horizontal extent of all contaminants at the Site; submit a final assessment report; submit a corrective action plan; continue monitoring until SC Class GB groundwater standard or other applicable soil standards are achieved as agreed; maintain access to the property for the performance of all activities under the order; pay a civil penalty in the amount of two thousand five hundred dollars (**\$2,500.00**) for violations of South Carolina Air Pollution Control Regulations; and, pay a stipulated penalty in the amount of five thousand dollars (\$5,000.00) should the Respondent fail to comply with Bureau of Water requirements of the Order.

65) <u>Order Type and Number:</u>	Consent Order 08-026-A, SW; 08-016-SW, A
<u>Order Date:</u>	June 24, 2008
<u>Respondent:</u>	Joe Ledbetters Backhoe Service, Inc.
<u>Facility:</u>	Joe Ledbetters Backhoe Service, Inc.
<u>Location/Mailing Address:</u>	963 Tubbs Mountain Rd Travelers Rest, SC 29690
<u>County:</u>	Greenville
<u>Previous Orders:</u>	N/A
<u>Permit/ID Number:</u>	N/A

Violations Cited: South Carolina Air Pollution Control Regulation 61-62.2, Prohibition of Open Burning; South Carolina Air Pollution Control Regulation 61-62.2, Section I.E.1.; South Carolina Underground Storage Tank Control Regulations R.61-92, (Supp. 2006): R.61-92, Section 280.10(e), R.61-92, Section 280.40(a), and R.61-92, Section 280.22(a); SUPERB 44-2-60(A); South Carolina Waste Tires Regulation, 25A S.C. Code Ann. Reg. 61-107.3 (Waste Tires Regulation) Section E.3. (Supp. 2006); South Carolina Used Oil Regulation, 25A S.C. Code Ann. Reg. 61-107.279 (Used Oil Regulation)(Supp. 2006), 279.12h.; and Pollution Control Act, S.C. Code Ann. § 48-1-90(a) (1987).

Summary: Joe Ledbetter's Backhoe Service (Respondent) owns and operates a backhoe and grading business. Respondent violated State Regulations and Statutes as follows: burned materials prohibited by the regulation; burned land-clearing debris within 1,000 feet of residential sites and a public roadway; introduced product into an unregistered, unpermitted underground storage tank (UST); failed to provide adequate release detection methods for a UST system; failed to submit a notification for a UST system over 1,100 gallons; failed to register a UST system and pay annual registration fees; disposed of waste tires at a facility other than a permitted solid waste facility; discharged used oil onto the ground; and discharged and disposed of miscellaneous solid wastes without first obtaining a permit.

Action: The Respondent has agreed to: cease open burning except as in compliance with the regulation; submit a UST closure and assessment report; remove and properly dispose of waste tires, any miscellaneous solid wastes, two rail cars, miscellaneous auto/truck parts/debris, a tanker, above ground tanks, used oil filters, and all oil and fluid contaminated soil, and submit disposal receipts for each item; and pay a civil penalty in the amount of two hundred dollars (\$200.00), and a UST annual registration fee in the amount of six hundred dollars (\$600.00). The penalty and UST registration fee have been paid.